

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY,  
Plaintiff,

v.

No. 3:20-cv-690-CWR-FKB

AN EASEMENT AND RIGHT-OF-WAY  
OVER 1.44 ACRES OF LAND, MORE  
OR LESS, IN RANKIN COUNTY,  
MISSISSIPPI, and  
DAVID LEON HOWIE, AS TRUSTEE  
WITH POWER OF SALE OF  
THE HOMER LEE HOWIE LIVING  
TRUST AS AMENDED AND  
RESTATEMENT MAY 31, 2013,  
Defendants.

**COMPLAINT**

1. This is an action of a civil nature brought by the United States of America upon the relation and for the use of the Tennessee Valley Authority for the taking of property under the power of eminent domain and for the ascertainment and award of just compensation to the owners and parties in interest.

2. The authority for the taking is the Tennessee Valley Authority Act of 1933, *as amended*, 16 U.S.C. §§ 831 et seq.

3. The public use for which the property is taken is the erection, operation, and maintenance of electric power transmission circuits and communication circuits.

4. The property interest to be acquired is a permanent easement and right-of-way.

5. The easement and right-of-way herein condemned is described in Attachment 1 hereto and made a part hereof.

6. The persons known to the Plaintiff to have or who may claim an interest in said property are as follows:

a. David Leon Howie, as Trustee with power of sale of The Homer Lee Howie Living Trust as Amended and Restated May 31, 2013, owns said property in fee simple by virtue of deeds recorded in Deed Books 2005 and 2014, pages 18058 and 3100, respectively, in the office of the Chancery Court Clerk of Rankin County, Mississippi.

b. County, City, and School taxes for 2020 are liens on said property.

7. A Declaration of Taking is being filed contemporaneously herewith.

WHEREFORE, the Plaintiff demands that:

(1) An Order be issued putting the Tennessee Valley Authority as agent of the United States of America into immediate possession of the property condemned.

(2) Just compensation for the property taken be ascertained in accordance with Rule 71.1(h) of the Federal Rules of Civil Procedure.

(3) A Judgment be entered confirming the vesting of title to the interests sought to be condemned in the United States of America by virtue of the Declaration of Taking filed herewith.

(4) The Plaintiff have such other relief as may be lawful and proper.

Respectfully submitted,

s/Michael V. Bernier

Michael V. Bernier (MS BAR 103960)

James S. Chase (TN BPR #020578)

TVA GENERAL COUNSEL'S OFFICE

400 West Summit Hill Drive

Knoxville, Tennessee 37902-1401

Telephone 865.632.3045

Facsimile 865.632.2422

Email mvbernier@tva.gov

101495201

Attorneys for Plaintiff

**TRACT NO. PTFLO-15**

A permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority to remain liable for any direct physical damage to the land and annual growing crops resulting directly from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures, all upon, under, over, and across the following-described land:

**TRACT NO. PTFLO-15**

A strip of land located in Section 15, Township 6 North, Range 3 East, Rankin County, State of Mississippi, as shown on a map entitled "Philadelphia – Langford Transmission Line," drawing LW-7728, sheet P28B, R.3, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location and the end boundaries of the strip being more particularly described as follows:

Commencing at a 3/8 inch rebar in the south right-of-way of Mississippi State Highway 25 and the northwest corner of David Leon Howie, Trustee of the Homer Lee Howie Living Trust DTD 2-17-1999, and Amended and Restated Living Trust dated May 31, 2013; thence in a northeasterly direction as measured along said right-of-way, 355.54 feet to the center of the location at station 182+53.15 and the Point of Beginning;

Thence leaving the point of beginning S. 3° 01' 39" E., 361.21 feet to a point of intersection at station 186+14.36, having the state plane coordinates of North: 1043161.58, East: 2404765.21; thence S. 42° 09' 22" E., 267.24 feet to a point in the west line of Pinelake Baptist Church of Rankin Co., Inc., at survey station 188+81.6 feet; said strip bounded on the north end by the right-of-way of Mississippi Highway 25 and on the south end by the common line with Pinelake Baptist Church of Rankin Co., Inc.

The above-described strip of land includes the centerline of the transmission line location for a net distance of 628.45 feet and containing 1.44 acres, more or less.

Furthermore, the above described easement rights are acquired with respect to appurtenant right, title, and interest as the owner of the land may have in Tract No. PTFLO-16, State of Mississippi (State Hwy. 25), the adjoining road right-of-way as shown on the map referenced above.

TRACT NO. PTFLO-15

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 186+14.36.

The above-described parcel of land is lying in the Northwest 1/4 of Section 15 Rankin County, Township 6 North, Range 3 East.

The coordinates, distances and directions of lines are referred to the Mississippi East Coordinate System, NAD83 (2011) Horizontal Datum, NAVD88 Vertical Datum.

This description prepared from a survey by: Tennessee Valley Authority, 1101 Market Street, MR-4B, Chattanooga, Tennessee 37402-2801

Record landowner as of the date of the filing of the Declaration of Taking — David Leon Howie, Trustee of the Homer Lee Living Trust as Amended and Restated Dated May 31, 2013 (Deed Books 2005 and 2014, pages 18058 and 3100, respectively)

Tax Map and Parcel No. I11 000074 00000  
PPIN 034104

101502692

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TRUST AS AMENDED AND  
RESTATEDED MAY 31, 2013,  
Defendants.

**NOTICE OF FILING OF DECLARATION OF TAKING**

COMES NOW, the Tennessee Valley Authority, the authority empowered by law to acquire in the name of the United States of America the property described in the Complaint of similar title filed in this Court, by and through the undersigned counsel, and files the attached Declaration of Taking (Doc. 2-1). The property interest taken in this action is an easement and right-of-way described in Attachment 2 (Doc. 2-2). A map showing the location of the easement and right-of-way taken is attached as Attachment 3 (Doc. 2-3).

This 28th day of October, 2020.

Respectfully submitted,

s/Michael V. Bernier

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Michael V. Bernier (MS BAR 103960)

James S. Chase (TN BPR #020578)

TVA GENERAL COUNSEL'S OFFICE

400 West Summit Hill Drive

Knoxville, Tennessee 37902-1401

Telephone 865.632.3045

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Email mvbernier@tva.gov

Attorneys for Plaintiff

101492910

UNITED STATES DISTRICT COURT  
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WITH POWER OF SALE OF  
THE HOMER LEE HOWIE LIVING  
TRUST AS AMENDED AND  
RESTATEMENT MAY 31, 2013,  
Defendants.

**DECLARATION OF TAKING**

The Tennessee Valley Authority, the authority empowered by law to acquire in the name of the United States of America the property described in the Complaint of similar title filed in this Court, hereby files this Declaration of Taking pursuant to 40 U.S.C. §§ 3114-3118 (2012) and declares that said property is hereby taken for the use of the United States of America acting by and through its agent, the Tennessee Valley Authority, and further declares that:

1. The property interest taken in this action is the easement and right-of-way described in Attachment 1 attached hereto and made a part hereof.
2. Forty-three Thousand Seven Hundred Fifty Dollars (\$43,750) is the amount estimated by the Tennessee Valley Authority to be just and liberal compensation for the easement and right-of-way taken. This amount will be tendered into Court for the use of the persons entitled thereto.

3. A map showing the location of the easement and right-of-way taken is attached as Attachment 2.

4. The authority under which the easement and right-of-way is taken is the Tennessee Valley Authority Act of 1933, *as amended*, 16 U.S.C. §§ 831 et seq. The public use for which the easement and right-of-way is taken is the erection, operation, and maintenance of electric power transmission circuits and communication circuits.

5. The Tennessee Valley Authority is of the opinion that the ultimate award probably will be within any limits prescribed by Congress on the price to be paid.

TENNESSEE VALLEY AUTHORITY

Respectfully submitted,

s/Michael V. Bernier

Michael V. Bernier (MS BAR 103960)  
James S. Chase (TN BPR #020578)  
TVA GENERAL COUNSEL'S OFFICE  
400 West Summit Hill Drive  
Knoxville, Tennessee 37902-1401  
Telephone 865.632.3045  
Facsimile 865.632.2422  
Email mvbernier@tva.gov

Attorneys for Plaintiff

101501784

**TRACT NO. PTFLO-15**

A permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with sufficient wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way; and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Tennessee Valley Authority to remain liable for any direct physical damage to the land and annual growing crops resulting directly from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures, all upon, under, over, and across the following-described land:

**TRACT NO. PTFLO-15**

A strip of land located in Section 15, Township 6 North, Range 3 East, Rankin County, State of Mississippi, as shown on a map entitled "Philadelphia – Langford Transmission Line," drawing LW-7728, sheet P28B, R.3, a reduced scale copy of which is attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location and the end boundaries of the strip being more particularly described as follows:

Commencing at a 3/8 inch rebar in the south right-of-way of Mississippi State Highway 25 and the northwest corner of David Leon Howie, Trustee of the Homer Lee Howie Living Trust DTD 2-17-1999, and Amended and Restated Living Trust dated May 31, 2013; thence in a northeasterly direction as measured along said right-of-way, 355.54 feet to the center of the location at station 182+53.15 and the Point of Beginning;

Thence leaving the point of beginning S. 3° 01' 39" E., 361.21 feet to a point of intersection at station 186+14.36, having the state plane coordinates of North: 1043161.58, East: 2404765.21; thence S. 42° 09' 22" E., 267.24 feet to a point in the west line of Pinelake Baptist Church of Rankin Co., Inc., at survey station 188+81.6 feet; said strip bounded on the north end by the right-of-way of Mississippi Highway 25 and on the south end by the common line with Pinelake Baptist Church of Rankin Co., Inc.

The above-described strip of land includes the centerline of the transmission line location for a net distance of 628.45 feet and containing 1.44 acres, more or less.

Furthermore, the above described easement rights are acquired with respect to appurtenant right, title, and interest as the owner of the land may have in Tract No. PTFLO-16, State of Mississippi (State Hwy. 25), the adjoining road right-of-way as shown on the map referenced above.

TRACT NO. PTFLO-15

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 186+14.36.

The above-described parcel of land is lying in the Northwest 1/4 of Section 15 Rankin County, Township 6 North, Range 3 East.

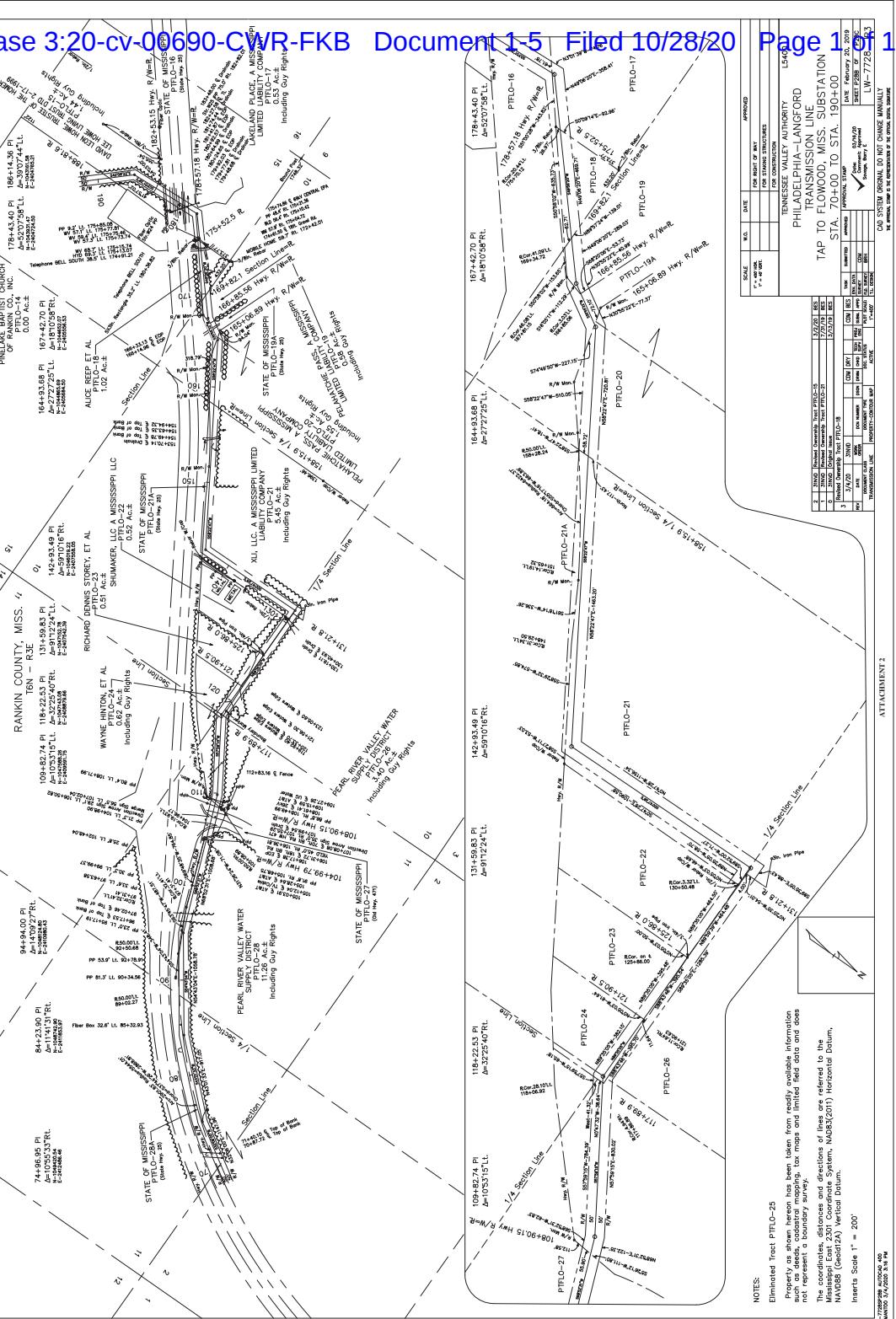
The coordinates, distances and directions of lines are referred to the Mississippi East Coordinate System, NAD83 (2011) Horizontal Datum, NAVD88 Vertical Datum.

This description prepared from a survey by: Tennessee Valley Authority, 1101 Market Street, MR-4B, Chattanooga, Tennessee 37402-2801

Record landowner as of the date of the filing of the Declaration of Taking — David Leon Howie, Trustee of the Homer Lee Living Trust as Amended and Restated Dated May 31, 2013 (Deed Books 2005 and 2014, pages 18058 and 3100, respectively)

Tax Map and Parcel No. I11 000074 00000  
PPIN 034104

101502692



UNITED STATES DISTRICT COURT  
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TRUST AS AMENDED AND  
RESTATEDED MAY 31, 2013,  
Defendants.

**NOTICE OF CONDEMNATION**

TO: David Leon Howie, as Trustee with power of sale of The Homer Lee Howie  
Living Trust as Amended and Restated May 31, 2013, 5360 I 55 North, Suite 105,  
Jackson, Mississippi 39211

Pursuant to Federal Rule of Civil Procedure 71.1(d)(2), you are hereby notified that the Plaintiff has commenced the above-entitled action in the United States District Court for the Southern District of Mississippi to condemn an easement and right-of-way on and over land in which you have or claim an interest. Said land and the interest taken therein is described in Attachment 1 which is attached hereto and made a part hereof.

The authority for the taking is the Tennessee Valley Authority Act of 1933, *as amended*, 16 U.S.C. §§ 831 et seq.

You are further notified that if you desire to present any objection or defense to the taking of the property described in Attachment 1, you are required to file your answer with the Clerk of

the Court and to serve it on the Plaintiff's attorney within 21 days after service of this notice upon you. Your answer shall identify the property in which you claim to have an interest, state the nature and extent of the interest you claim, and state all of your objections and defenses to the taking. Your failure to file and serve an answer constitutes a consent to the taking and to the jurisdiction of the Court to proceed to hear the action and to fix the compensation.

If you have no objection or defense to the taking of this property you may instead file with the Clerk of the Court and serve on the Plaintiff's attorneys a notice of appearance designating the property in which you claim to be interested. Thereafter you will receive notice of all proceedings in this action affecting the property. In the event of a trial of the issue of just compensation, whether or not you have previously appeared or answered, you may present evidence as to the amount of the compensation to be paid for your property, and you may share in the distribution of the award.

Federal Rule of Civil Procedure 71.1(d)(2)(B) requires that an address be provided within the district in which this action is brought where the Plaintiff's attorneys may be served. Such an address is James S. Chase, Attorney, Tennessee Valley Authority, c/o Joshua L. Wooten Manager, Customer Service Center, Tennessee Valley Authority, 3197 Brooks Road, Belden, Mississippi 38826. However, Plaintiff prefers that service be made by mail addressed to James S. Chase, Attorney, Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee 37902-1401.

Respectfully submitted,

*s/Michael V. Bernier*

---

Michael V. Bernier (MS BAR 103960)  
James S. Chase (TN BPR #020578)  
TVA GENERAL COUNSEL'S OFFICE  
400 West Summit Hill Drive  
Knoxville, Tennessee 37902-1401  
Telephone 865.632.3045  
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Email mvbernier@tva.gov

Attorneys for Plaintiff

101483683

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The coordinates, distances and directions of lines are referred to the Mississippi East Coordinate System, NAD83 (2011) Horizontal Datum, NAVD88 Vertical Datum.

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Record landowner as of the date of the filing of the Declaration of Taking — David Leon Howie, Trustee of the Homer Lee Living Trust as Amended and Restated Dated May 31, 2013 (Deed Books 2005 and 2014, pages 18058 and 3100, respectively)

Tax Map and Parcel No. I11 000074 00000  
PPIN 034104

101502692

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

UNITED STATES OF AMERICA  
upon the relation and for the use of the  
TENNESSEE VALLEY AUTHORITY

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_

(EXCEPT IN U.S. PLAINTIFF CASES)

**DEFENDANTS**

United States ex rel. TVA v. An Easement and Right-of-Way  
over 1.44 Acres of Land, More or Less, in Rankin County,  
Mississippi, and David Leon Howie, Etc.

County of Residence of First Listed Defendant \_\_\_\_\_ Rankin

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(c) Attorneys (Firm Name, Address, and Telephone Number)

See page 2

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question<br>(U.S. Government Not a Party)          |
| <input type="checkbox"/> 2 U.S. Government Defendant            | <input type="checkbox"/> 4 Diversity<br>(Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
(For Diversity Cases Only)

Citizen of This State	PTF	DEF	PTF	DEF
	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4 <input type="checkbox"/> 4
	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability		<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract		<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability				<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise				<input type="checkbox"/> 850 Securities/Commodities/ Exchange
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	SOCIAL SECURITY	
<input checked="" type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<b>Habeas Corpus:</b>	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 890 Other Statutory Actions
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<b>Other:</b>		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other		<input type="checkbox"/> 950 Constitutionality of State Statutes
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		
		IMMIGRATION	FEDERAL TAX SUITS	
		<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	
		<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	

**V. ORIGIN** (Place an "X" in One Box Only)

- |   |   |  |   |  |  |   |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) _____ | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
**TVA Act, as amended, 16 U.S.C. §§ 831, et seq.**

**VI. CAUSE OF ACTION**

Brief description of cause:  
**Condemnation of an easement and right-of-way.**

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION  
UNDER RULE 23, F.R.Cv.P.

## DEMAND \$

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No

**VIII. RELATED CASE(S)**

IF ANY

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

## FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_

AMOUNT \_\_\_\_\_

APPLYING IFP \_\_\_\_\_

JUDGE \_\_\_\_\_

MAG. JUDGE \_\_\_\_\_

DATE

10/28/2020

SIGNATURE OF ATTORNEY OF RECORD  
s/Michael V. Bernier